

tives of modernization as well as critical new technological components and associated operational changes necessary to fulfill objectives of weather and flood warning service improvements.

DEGRADATION-OF-WEATHER-SERVICES STANDARD FOR PROVIDING SERVICES

Pub. L. 100-685, title IV, §408, Nov. 17, 1988, 102 Stat. 4099, prohibited Secretary of Commerce from closing, consolidating, automating, or relocating, any Weather Service Office or Weather Service Forecast Office pursuant to the implementation of the strategic plan required by section 407 of Pub. L. 100-685 [formerly set out above] unless the Secretary certified to Committee on Commerce, Science, and Transportation of the Senate and Committee on Science, Space, and Technology of the House of Representatives that such action would not result in any degradation of weather services provided to the affected area, prior to repeal by Pub. L. 102-567, title VII, §709(2), Oct. 29, 1992, 106 Stat. 4309.

WEATHER AND CLIMATE INFORMATION IN AGRICULTURE

Pub. L. 99-198, title XVII, §1762, Dec. 23, 1985, 99 Stat. 1651, provided that:

“(a) Congress finds that—

“(1) agricultural and silvicultural operations are vulnerable to damage from atmospheric conditions that accurate and timely reporting of weather information can help prevent;

“(2) the maintenance of current weather and climate analysis and information dissemination systems, and Federal, State, and private efforts to improve these systems, is essential if agriculture and silviculture are to mitigate damage from atmospheric conditions;

“(3) agricultural and silvicultural weather services at the Federal level should be maintained with joint planning between the National Oceanic and Atmospheric Administration and the Department of Agriculture; and

“(4) efforts should be made, involving user groups, weather and climate information providers, and Federal and State governments, to expand the use of weather and climate information in agriculture and silviculture.

“(b) It, therefore, is declared to be the policy of Congress that it is in the public interest to maintain an active Federal involvement in providing agricultural and silvicultural weather and climate information and that efforts should be made, among users of this information and among private providers of this information, to improve use of this information.”

NATIONAL WEATHER SERVICE; CONGRESSIONAL APPROVAL REQUISITE TO SALE, LEASE, TRANSFER, OR DISMANTLING OF AGENCY

Pub. L. 98-8, title I, §104, Mar. 24, 1983, 97 Stat. 34, provided that:

“Since the Administration has proposed to sell the weather (METSAT) and land (LANDSAT) satellite systems;

“Since there are concerns about possible commercialization of the National Weather Service;

“Since our country should provide weather service information for the protection of life and property;

“Since our Nation's economy—its agriculture, aviation, ocean shipping and construction—is heavily affected by weather and our ability to forecast and disseminate vital information about its behavior: Now, therefore,

“It is the sense of the Congress that a reliable and comprehensive national weather information system responsive to the needs of national security; agriculture, transportation and other affected sectors; and individual citizens must be maintained through a strong central National Weather Service that can work closely with the private sector, other Federal and State government agencies, and the weather services of other nations.

“Further, the Nation's civil operational remote sensing satellites (METSAT and LANDSAT) shall remain under the National Oceanic and Atmospheric Administration. No effort shall be made to dismantle, transfer, lease or sell any portion of these systems without prior congressional approval.”

STUDY OF THUNDERSTORMS AND ATMOSPHERIC DISTURBANCES; REPORTS; EXPENDITURES; COOPERATION OF OTHER DEPARTMENTS

Act June 16, 1948, ch. 483, 62 Stat. 470, as amended Oct. 19, 1980, Pub. L. 96-470, title I, §103(b), 94 Stat. 2237, provided: “That the Chief of the Weather Bureau is authorized and directed to study fully and thoroughly the internal structure of thunderstorms, hurricanes, cyclones, and other severe atmospheric disturbances, particularly the degree of turbulence within such storms and the development, maintenance, and magnitude of updrafts and downdrafts with a view to establishing methods by which the characteristics of particular thunderstorms may be forecast and methods by which the characteristics of such storms may be determined on visual observation from outside of the immediate thunderstorm area. Such study shall be concluded at the earliest practicable date and a final report submitted to Congress.

“SEC. 2. The Chief of the Weather Bureau is empowered to make such expenditures at the seat of government and elsewhere as may be necessary to carry out the purposes of this Act and as from time to time may be appropriated for by Congress, including expenditures for the development and purchase of special meteorological instruments and other equipment (including motor vehicles and aircraft), without regard to the provisions of section 3709 of the Revised Statutes [section 5 of Title 41, Public Contracts]. There is hereby authorized to be appropriated such sums as are necessary for the purpose of carrying out the provisions of this Act.

“SEC. 3. Any executive department or independent establishment is hereby authorized to cooperate with the Chief of the Weather Bureau in carrying out the purposes of this Act, and for such purposes may lend or transfer to the Chief of the Weather Bureau any officer or employee of such department or establishment and any property, equipment, lands, or buildings under its control.”

§ 313a. Establishment of meteorological observation stations in the Arctic region

In order to improve the weather forecasting service of the United States and to promote safety and efficiency in civil air navigation to the highest possible degree, the Secretary of Commerce shall, in addition to his other functions and duties, take such action as may be necessary in the development of an international basic meteorological reporting network in the Arctic region of the Western Hemisphere, including the establishment, operation, and maintenance of such reporting stations in cooperation with the State Department and other United States governmental departments and agencies, with the meteorological services of foreign countries and with persons engaged in air commerce.

(Feb. 12, 1946, ch. 4, §1, 60 Stat. 4; 1965 Reorg. Plan No. 2, §§1, 2, eff. July 13, 1965, 30 F.R. 8819, 79 Stat. 1318.)

TRANSFER OF FUNCTIONS

Office of Chief of Weather Bureau abolished and functions transferred to Secretary of Commerce by Reorg. Plan No. 2 of 1965, eff. July 13, 1965, 30 F.R. 8819, 79 Stat. 1318. For further details, see notes set out under section 311 of this title.

APPROPRIATIONS

Section 2 of act Feb. 12, 1946, authorized appropriation of necessary funds to carry out provisions of this section.

§ 313b. Institute for Aviation Weather Prediction

The Administrator of the National Oceanic and Atmospheric Administration shall establish an Institute for Aviation Weather Prediction. The Institute shall provide forecasts, weather warnings, and other weather services to the United States aviation community. The Institute shall expand upon the activities of the aviation unit currently at the National Severe Storms Forecast Center in Kansas City, Missouri, and shall be established in the Kansas City¹ Missouri¹ area. The Administrator of the National Oceanic and Atmospheric Administration shall provide a full and fair opportunity for employees at the National Severe Storms Center to assume comparable duties and responsibilities within the Institute.

(Pub. L. 102-588, title II, § 222, Nov. 4, 1992, 106 Stat. 5119.)

SIMILAR PROVISIONS

Similar provisions were contained in Pub. L. 102-567, title I, § 112, Oct. 29, 1992, 106 Stat. 4278.

§ 313c. Authorized activities of the National Oceanic and Atmospheric Administration

The National Oceanic and Atmospheric Administration, through the United States Weather Research Program, shall—

(1) improve the capability to accurately forecast inland flooding (including inland flooding influenced by coastal and ocean storms) through research and modeling;

(2) develop, test, and deploy a new flood warning index that will give the public and emergency management officials fuller, clearer, and more accurate information about the risks and dangers posed by expected floods;

(3) train emergency management officials, National Weather Service personnel, meteorologists, and others as appropriate regarding improved forecasting techniques for inland flooding, risk management techniques, and use of the inland flood warning index developed under paragraph (2);

(4) conduct outreach and education activities for local meteorologists and the public regarding the dangers and risks associated with inland flooding and the use and understanding of the inland flood warning index developed under paragraph (2); and

(5) assess, through research and analysis of previous trends, among other activities—

(A) the long-term trends in frequency and severity of inland flooding; and

(B) how shifts in climate, development, and erosion patterns might make certain regions vulnerable to more continual or escalating flood damage in the future.

(Pub. L. 107-253, § 2, Oct. 29, 2002, 116 Stat. 1731.)

AUTHORIZATION OF APPROPRIATIONS

Pub. L. 107-253, § 3, Oct. 29, 2002, 116 Stat. 1731, provided that: “There are authorized to be appropriated to

the National Oceanic and Atmospheric Administration for carrying out this Act [see Short Title of 2002 Amendment note set out under section 311 of this title] \$1,250,000 for each of the fiscal years 2003 through 2005, of which \$100,000 for each fiscal year shall be available for competitive merit-reviewed grants to institutions of higher education (as defined in section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001)) to carry out the activities described in section 2(5) [15 U.S.C. 313c(5)], and \$1,150,000 for each of the fiscal years 2006 and 2007. Of the amounts authorized under this section, \$250,000 for each fiscal year shall be available for competitive merit-reviewed grants to institutions of higher education (as defined in section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001)) to develop models that can improve the ability to forecast the coastal and estuary-inland flooding that is influenced by tropical cyclones. The models should incorporate the interaction of such factors as storm surges, soil saturation, and other relevant phenomena.”

REPORT

Pub. L. 107-253, § 4, Oct. 29, 2002, 116 Stat. 1732, provided that: “Not later than 90 days after the date of the enactment of this Act [Oct. 29, 2002], and annually thereafter through fiscal year 2007, the National Oceanic and Atmospheric Administration shall transmit to the Committee on Science of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report on its activities under this Act [see Short Title of 2002 Amendment note set out under section 311 of this title] and the success and acceptance of the inland flood warning index developed under section 2(2) [15 U.S.C. 313c(2)] by the public and emergency management professionals. The National Oceanic and Atmospheric Administration shall also, not later than January 1, 2006, transmit to the Committee on Science of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report on the likely long-term trends in inland flooding, the results of which shall be used in outreach activities conducted under section 2(4) [15 U.S.C. 313c(4)], especially to alert the public and builders to flood hazards.”

§ 314. Omitted

CODIFICATION

Section, act Aug. 8, 1894, ch. 238, 28 Stat. 273, related to making promotions in service without prejudice to those transferred from Signal Service of War Department.

§ 315. Changes or assignment to duty

The Secretary of Commerce is authorized to make such changes or assignment to duty in the personnel or detailed force of the National Weather Service for limiting or reducing expenses as he may deem necessary.

(Mar. 2, 1895, ch. 169, 28 Stat. 737; 1940 Reorg. Plan No. IV, § 8, eff. June 30, 1940, 5 F.R. 2421, 54 Stat. 1236; 1965 Reorg. Plan No. 2, eff. July 13, 1965, 30 F.R. 8819, 79 Stat. 1318; 1970 Reorg. Plan No. 4, eff. Oct. 3, 1970, 35 F.R. 15627, 84 Stat. 2090.)

TRANSFER OF FUNCTIONS

Weather Bureau consolidated with Coast and Geodetic Survey to form new agency in Department of Commerce known as Environmental Science Services Administration by Reorg. Plan No. 2 of 1965, eff. July 13, 1965, 30 F.R. 8819, 79 Stat. 1318, set out as a note under section 311 of this title. Functions of Bureau and Chief of Bureau transferred to Secretary of Commerce by Reorg. Plan. Subsequently, Environmental Science Services Administration abolished and National Oceanic and Atmospheric Administration established. By Department Organization Order 25-5A, Secretary dele-

¹ So in original. Probably should be followed by a comma.